

Bill No. SB 698

Barcode 882470 Comm: RCS 03/29/2006 06:27 PM

585-2014-06

Proposed Committee Substitute by the Committee on Governmental Oversight and Productivity

1 A bill to be entitled

2 An act relating to a review under the Open

3 Government Sunset Review Act; amending s.

4 381.95, F.S., relating to an exemption from

5 public-records requirements provided for

6 information concerning medical facilities and

7 laboratories which is maintained by the

8 Department of Health as part of the state's

9 plan to defend against terrorism; reorganizing

10 provisions, making editorial changes, and

11 removing superfluous provisions; saving the

12 exemption from repeal under the Open Government

13 Sunset Review Act; deleting provisions

14 providing for the repeal of the exemption;

15 providing an effective date.

16

17 Be It Enacted by the Legislature of the State of Florida:

18

19 Section 1. Section 381.95, Florida Statutes, is

20 amended to read:

21 381.95 Medical facility information maintained for

22 terrorism response purposes; confidentiality.--

23 (1) Any information identifying or describing the

24 name, location, pharmaceutical cache, contents, capacity,

25 equipment, physical features, or capabilities of individual

26 medical facilities, storage facilities, or laboratories

27 established, maintained, or regulated by the Department of

28 Health as part of the state's plan to defend against an act of

29 terrorism as defined in s. 775.30 is exempt from ~~the~~

30 ~~requirements of~~ s. 119.07(1) and s. 24(a), Art. I of the State

31 Constitution. ~~The certification by the Governor of the~~

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1 ~~sufficiency of any location, pharmaceutical cache, contents,~~
2 ~~capacity, equipment, physical features, or capabilities of~~
3 ~~individual medical facilities, storage facilities, or~~
4 ~~laboratories established, maintained, or regulated by the~~
5 ~~Department of Health as part of the state's plan to defend~~
6 ~~against an act of terrorism is a public record. This exemption~~
7 ~~is remedial in nature, and it is the intent of the Legislature~~
8 ~~that this exemption apply ~~be applied~~ to information held~~
9 ~~received~~ by the Department of Health before, on, or after the
10 effective date of this section.

11 (2) Information made exempt by this section may be
12 disclosed by the custodial agency to another state or federal
13 agency in order to prevent, detect, guard against, respond to,
14 investigate, or manage the consequences of any attempted or
15 actual act of terrorism, or to prosecute those responsible for
16 such attempts or acts, ~~and the exempt status of such~~
17 ~~information shall be retained while in the possession of the~~
18 ~~receiving agency. This section is subject to the Open~~
19 ~~Government Sunset Review Act of 1995 in accordance with s.~~
20 ~~119.15 and shall stand repealed October 2, 2006, unless~~
21 ~~reviewed and saved from repeal through reenactment by the~~
22 ~~Legislature.~~

23 (3) The certification by the Governor of the
24 sufficiency of any location, pharmaceutical cache, contents,
25 capacity, equipment, physical features, or capabilities of
26 individual medical facilities, storage facilities, or
27 laboratories established, maintained, or regulated by the
28 Department of Health as part of the state's plan to defend
29 against an act of terrorism is a public record.

30 Section 2. This act shall take effect October 1, 2006.